

Tino X. Do, Esq. (SBN 221346)  
SALTZMAN & JOHNSON LAW CORPORATION  
5100-B1 Clayton Road, Suite 373  
Concord, CA 94521  
Telephone: (510) 906-4710  
Email: tdo@sjlawcorp.com

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

OPERATING ENGINEERS' HEALTH AND  
WELFARE TRUST FUND FOR NORTHERN  
CALIFORNIA, et al.,

Plaintiffs,

v.

M.J. GILBERT CONSTRUCTION CO., INC., a  
California Corporation; MICHAEL J. GILBERT, an  
individual,

Defendants.

Case No. 3:25-cv-01580-JST

**~~PROPOSED~~ ORDER GRANTING  
STIPULATION FOR CONDITIONAL  
DISMISSAL**

//

//

//

//

//

//

**IT IS SO ORDERED.**

In accordance with the settlement and request of the Parties, and good cause appearing therefore, IT IS HEREBY ORDERED that this matter is dismissed conditionally. The Court shall retain jurisdiction over this matter until a final dismissal is entered. In the event that Defendant default in performance of her settlement with Plaintiffs, Plaintiffs' Counsel may file a declaration under penalty of perjury by May 16, 2026, requesting that the dismissal of this matter may not be effectuated by the Court and requesting that this matter be reinstated as result of Defendant's failure to satisfy their obligations under the confidential settlement agreement. If Plaintiffs do not file said declaration by May 16, 2026, this Conditional Dismissal shall convert to a Dismissal with Prejudice of this matter effective May 17, 2026, or earlier upon the request of the Parties due to Defendant's earlier satisfaction of the settlement terms.

Dated: May 28, 2025



---

HONORABLE JON S. TIGAR  
UNITED STATES DISTRICT JUDGE